

Notice of Allowability

Application No.

10/690,977

Applicant(s)

WILENSKY, GREGG D.

Examiner

LUU MATTHEW

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the IDS statement filed October 21, 2004.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☒ The drawings filed on 21 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/21/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


MATTHEW LUU

PRIMARY EXAMINER

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

None of the prior art made of record teaches or suggests a computer-implemented method for processing a digital image, the method comprising:

- modifying the digital image at a location within the image, the modification causing a change of a first local attribute of the image at the location;
- measuring the change of the first attribute at the location; and
- adjusting a second attribute of the image at the location based on the measured change of the first local attribute, the second attribute being different from the first attribute.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-The closest prior art, Ahn (6,191,823) discloses (Fig. 1) an analog/digital color video apparatus for adjusting attributes of a color video signal including a first attribute adjuster (15) and a second attribute adjuster (25). Ahn further discloses (Fig. 2) a color image sharpness adjuster (81), a tint adjuster (83), and a color image

Art Unit: 2676

contrast/brightness adjuster (87). However, Ahn fails to disclose the steps of “measuring the change of the first attribute at the location; and adjusting a second attribute of the image at the location based on the measured change of the first local attribute, the second attribute being different from the first attribute.”

-Sawada et al (US 2003/0001856) discloses (Fig. 1 and 4) an image display apparatus (100) displays an image signal on a specific area of a display screen by modifying the display attribute of the specific area on the display screen in accordance with the area-attribute information received from the information processing apparatus.

-Ameline et al (US 2003/0131237) disclose (Fig. 2) a portion (T) of the image window (W2) can be updated by a watermark routine to watermark the portion of the image located in the portion (T). Ameline et al further disclose, for each output image, a digital watermark is generated having at least one attribute that is function of a variable associated with the attribute. Each variable is capable of modification from image to image to produce a digital watermark with different attributes on each output image. However, Ameline et al fail to “measure the change of the first attribute at the location”.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (703) 305-4850. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BELLA MATTHEW can be reached on (703) 308-6829. The fax phone

Art Unit: 2676

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu

A handwritten signature in black ink, appearing to read "Matthew Luu". The signature is fluid and cursive, with the first name "Matthew" being more prominent than the last name "Luu".

MATTHEW LUU
PRIMARY EXAMINER